

## PATENT COOPERATION TREATY

From the  
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

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18 JUN 2005

NOTIFICATION OF TRANSMITTAL OF  
THE INTERNATIONAL PRELIMINARY  
REPORT ON PATENTABILITY

(PCT Rule 71.1)

Date of mailing  
(day/month/year)

14.06.2005

Applicant's or agent's file reference  
P/64000.WOP

IMPORTANT NOTIFICATION

International application No.  
PCT/EP2004/003465

International filing date (day/month/year)  
01.04.2004

Priority date (day/month/year)  
01.04.2003

Applicant  
TELNIC LIMITED et al.

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary report on patentability and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.
4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed inventions is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

National Phase	
30 months from priority	01/10/05
Regional Phase	
31 months from priority	01/11/05

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preliminary examining authority:



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# PATENT COOPERATION TREATY

## PCT

### INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P/64000.WOP		<b>FOR FURTHER ACTION</b>		See Form PCT/PEA/416
International application No. PCT/EP2004/003465		International filing date (day/month/year) 01.04.2004	Priority date (day/month/year) 01.04.2003	
International Patent Classification (IPC) or national classification and IPC H04L29/12				
Applicant TELNIC LIMITED et al.				
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 8 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> sent to the applicant and to the International Bureau a total of 7 sheets, as follows:</p> <p><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (Indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>				
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the opinion</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>				
Date of submission of the demand  01.02.2005		Date of completion of this report  14.06.2005		
Name and mailing address of the international preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016		Authorized Officer Peeters, D Telephone No. +31 70 340-4323 		

# INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

**10/551801**

International application No.  
PCT/EP2004/003465

**JC20 Rec'd PCT/PTO 29 SEP 2005**

## Box No. 1 Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on translations from the original language into the following language, which is the language of a translation furnished for the purposes of:
- ☐ International search (under Rules 12.3 and 23.1(b))
  - ☐ publication of the international application (under Rule 12.4)
  - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements\* of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):

### Description, Pages

5-13 as originally filed  
1-4 received on 28.02.2005 with letter of 28.02.2005

### Claims, Numbers

1-9 received on 28.02.2005 with letter of 28.02.2005

### Drawings, Sheets

14-44 as originally filed

- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/figs
- ☐ the sequence listing (specify):
- ☐ any table(s) related to sequence listing (specify):

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/figs
- ☐ the sequence listing (specify):
- ☐ any table(s) related to sequence listing (specify):

\* If item 4 applies, some or all of these sheets may be marked "superseded."

**INTERNATIONAL PRELIMINARY REPORT  
ON PATENTABILITY**International application No.  
PCT/EP2004/003465

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**Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

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**1. Statement**

Novelty (N)	Yes: Claims	1-9
	No: Claims	
Inventive step (IS)	Yes: Claims	
	No: Claims	1-9
Industrial applicability (IA)	Yes: Claims	1-9
	No: Claims	

**2. Citations and explanations (Rule 70.7):****see separate sheet**

**10/551801**

**JC20 Rec'd PCT/PTO 29 SEP 2005**  
International application No.

**INTERNATIONAL PRELIMINARY  
REPORT ON PATENTABILITY  
(SEPARATE SHEET)**

**PCT/EP2004/003465**

1 Independent claims 1, 6 and 7 do not fulfill the requirements of Article 33(3) PCT for the following reasons:

1.1 Claim 1

Document D1, which is considered to represent the most relevant state of the art, discloses (the references in parentheses applying to this document), in terms of claim 1:

a communications system (page 19 line 16-page 22 line 15) comprising a first database (Fig.2, "Name server") and a second database (Fig.2, "Identity server"), the first database comprising data identifying a system user ("Personal Domain Name PDN") and the second database comprising one or more data sets relating to a system user (Fig.3, page 25 line 14-page 27 line 19; "Identity, identity information"), wherein

I) the first database additionally comprises data indicating the location of the one or more data sets relating to that user (page 24 lines 5-28, "...DNS records mapping hans.hurvig.dk to the Internet Protocol address of is.dhost.dk.");

II) the second database comprises a plurality of data sets relating to a system user (page 25 line 14-page 27 line 13, see for example Table I "Friends" and page 26 lines 33-34); and

the system further comprises data defining a relationship between the plurality of data sets (page 25 line 14-page 27 line 13, see especially Table I).

The subject-matter of claim 1 differs from this known system in that: the system comprises a third database, the third database comprising hierarchical data defining a relationship between the plurality of data sets.

The problem to be solved by the present invention may therefore be regarded as having to modify a plurality of data sets held in an extensive and heavily consulted database in the event that the relationships are redefined.

The solution proposed in claim 1 of the present application cannot be considered as involving an inventive step (Article 33(3) PCT) for the following reasons:

The feature of providing an extra database comprising hierarchical data defining a relationship between a plurality of data sets is described in document D3 page 4

**INTERNATIONAL PRELIMINARY  
REPORT ON PATENTABILITY  
(SEPARATE SHEET)**

International application No.

PCT/EP2004/003465

paragraphs 40-43 as providing the same advantages as in the present application. The person skilled in the art of distributed databases would regard it as a normal design option to put the relationship information for each data set contained in a corresponding Table I (D1, page 25 line 31-page 26 line 20) into a separate database in order to solve the problem posed. In document D1, page 6 lines 26-27, the skilled person is already hinted at the fact that "access rules may also be enforced by a computer or server (this server corresponds to the third database of claim 1) communicating with the identity site or identity server (this server corresponds to the second database of claim 1)".

**1.2 Claim 6**

Present claim 6 is a representation of present claim 1 in terms of a mobile communications device configured to perform method steps, and the arguments with respect to the obviousness of the subject-matter of claim 1 similarly apply to claim 6. Consequently, the subject-matter of claim 6 also does not contain an inventive step in the sense of Art. 33(3) PCT.

**1.3 Claim 7**

Document D2, which is considered to represent the most relevant state of the art, discloses (the references in parentheses applying to this document), in terms of claim 7: a communications system comprising a first database and a second database (paragraphs 20-21 and 24-40, Figures 1, 2 and 3), wherein

the first database (paragraph 34, Fig. 2 reference 212) comprises a plurality of first data records, each of the first data records being associated with a registered user of the communications system and comprising a registered user identifier and a data resource locator (paragraph 20: "... domain name and name and address of the owner of this registered domain name");

the second database (paragraph 40, Fig. 3 reference 310) comprises a plurality of second data records, each of the second data records being associated with a registered user of the communications system and comprising one or more data sets associated with that registered user (paragraphs 40 and 58),

the system being configured such that when a first data record is added to the first database, the system adds a second data record to the second database, the contents of the second data record being derived from the data submitted to the first

**INTERNATIONAL PRELIMINARY  
REPORT ON PATENTABILITY  
(SEPARATE SHEET)**

International application No.

PCT/EP2004/003465

database (paragraphs 20-21).

The subject-matter of claim 7 differs from this known system in that: the system further comprises a third database, the third database comprising a plurality of third data records, each third data record being associated with a registered user further associated with a first data record and a plurality of second data records, wherein each third data record comprises hierarchical data defining a relationship between the plurality of second data records.

The problem to be solved by the present invention may therefore be regarded as having to modify a plurality of data sets held in an extensive and heavily consulted database in the event that the relationships are redefined.

The solution proposed in claim 7 of the present application cannot be considered as involving an inventive step (Article 33(3) PCT) for the following reasons:

The feature of providing an extra database comprising hierarchical data defining a relationship between a plurality of data sets is described in document D3 page 4 paragraphs 40-43 as providing the same advantages as in the present application. The person skilled in the art of distributed databases would regard it as a normal design option to include this feature in the system described in document D2 in order to solve the problem posed.

- 2 The subject-matter of present dependent claims 2-5 and 8-9 are a mere superposition of features already known from documents D1, D2 and D3 without the exercise of inventive skill (see also PCT International Preliminary Examination Guidelines III-13.05):

The additional feature of claims 2 and 9, including a search engine, is considered to be an obvious design option to the person skilled in the art (see for example document D2, paragraph 74).

The additional features of claims 3-5 are considered to be obvious design options to the person skilled in the art (see for example document D1 and the corresponding passages cited in the search report).

The additional feature of claim 8, to have the data resource locator of the first data record indicate the location of the second data record, is considered to be an obvious

INTERNATIONAL PRELIMINARY  
REPORT ON PATENTABILITY  
(SEPARATE SHEET)

International application No.

PCT/EP2004/003465

design option to the person skilled in the art (see for example document D1 and the corresponding passages cited in the search report).

3 The following should be noted as well:

3.1 An interpretation according to which D3 discloses that a single database is modified such that the data defining the hierarchical relationships between a plurality of entities within a database is held within a hierarchical link table, rather than being held within the different database entities, is not convincing. Indeed, for the purposes of document D3 there is no difference between a "table" and a "database", see document D3 paragraph 14 "Tables (**a type of database**), called 'hierarchical link tables,' ... are prepared". Even if there were a difference between a "table" and a "database", if the database consists of only one table the database contains the same data as the table.

3.2 Furthermore, it is not the authorized officer's opinion that D3 belongs to a different technical field and therefore that the teaching of D3 would not be relevant to the present invention. Indeed, directory services are based on an underlying collection of databases and therefore document D3, which specifically deals with databases, **does** belong to the same technical field and would be taken into account by the skilled person.

3.3 The advantage of only having to modify the data in a third database in the event that hierarchical relationships are redefined, is achieved regardless whether the hierarchical data is held in a separate table or in a separate database.

3.4 An interpretation according to which, if the person skilled in the art were to attempt to combine the teaching of D1 and D3, a hierarchical link table would be added to either the 'name server' or the 'identity server' of D1, rather than adding a third database to the system as is taught by the present invention, is not convincing. Indeed, in an Internet environment (on the priority date of 01.04.2003) it is a mere design option whether to put the hierarchical data in a table incorporated in an existing database (first or second database) or to create a separate database (third database), based on obvious optimization considerations like load balancing, latency, topology, or



**INTERNATIONAL PRELIMINARY  
REPORT ON PATENTABILITY  
(SEPARATE SHEET)**

International application No.

PCT/EP2004/003465

policy. Moreover, the passage in document D1, page 6 lines 26-27, already hints the skilled person at the fact that "access rules may also be enforced by a computer or server (corresponding to the third database of claim 1) communicating with the identity site or identity server (corresponding to the second database of claim 1)".

D. Peeters  
Examiner